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3
4 UNITED STATES DISTRICT COURT
5 EASTERN DISTRICT OF WASHINGTON

6 SUSIE A. WEYMOUTH,

7 Plaintiff,

8 -vs-

9 CAROLYN W. COLVIN,
10 Acting Commissioner of Social Security,

11 Defendant.

No. 4:14-CV-05061-WFN

ORDER GRANTING STIPULATED
MOTION TO REMAND

12 Before the Court is the parties' Stipulated Motion for Remand, ECF No. 18. The
13 parties agree that the above-captioned case should be reversed and remanded to the
14 Commissioner of Social Security for further administrative proceedings, a de novo
15 hearing, and a new decision regarding Plaintiff's applications for disability insurance
16 benefits and supplemental security income payments. The Court has reviewed the file and
17 the parties' stipulated Motion and is fully informed. Accordingly,

18 **IT IS ORDERED** that:

19 1. The Stipulated Motion for Remand, filed December 22, 2014, **ECF No. 18**, is
20 **GRANTED**.

21 2. Pursuant to sentence four of 42 U.S.C. §405(g), the Commissioner's decision
22 regarding Plaintiff's applications for disability insurance benefits and supplemental
23 security income payments under Titles II and XVI of the Social Security Act is
24 **REVERSED and REMANDED** to the Commissioner of Social Security for further
25 administrative proceedings before an Administrative Law Judge, a de novo hearing, and a
26 new decision. *See Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

27 3. On remand, the ALJ will further evaluate the Plaintiff's substance abuse
28 pursuant to Social Security Ruling 13-02p; further evaluate the lay witness testimony

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1 pursuant to Social Security Ruling 06-03p; further evaluate Plaintiff's residual functional
2 capacity; and obtain supplemental vocational expert testimony if necessary.

3 4. Plaintiff will be entitled to reasonable attorney fees and costs pursuant to the
4 Equal Access to Justice Act, 28 U.S.C. § 2412(d), upon proper request to this Court.

5 The District Court Executive is directed to file this Order and provide copies to
6 counsel.

7 **DATED** this 30th day of December, 2014.

8
9 s/ Wm. Fremming Nielsen

10 WM. FREMMING NIELSEN

11 SENIOR UNITED STATES DISTRICT JUDGE

12-30-14